

## **STATEMENT OF PURPOSE**

### **RS19461C1**

This legislation creates new provisions of family law addressing the reality that there are limited custodial remedies for grandparents or other relative caregivers that allow them to make legal decisions on behalf of grandchildren or other related children for whom they are the primary financial supporter and primary caregiver in the child's life. The legislation sets out requirements for filing court petitions and establishes specific standards to determine the defacto status of grandparents or other relatives. It provides for hearing notification of all parties with an interest in the grandchild or a related child and establishes a clear and high burden of proof for the court to determine the best interests of the child when considering granting defacto custodianship rights to grandparents or other relatives. It amends certain probate sections of code so family and probate defacto custodianship provisions are aligned.

### **FISCAL NOTE**

No impact on the general fund. Impact upon the judicial system is unknown.

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